

4VAC15-50-71

Game: Bear: Muzzleloading gun hunting.

Summary:

The proposal will clarify the different types of muzzleloading guns that are legal during the muzzleloading bear season, update language consistent with recent technological changes, and address pending changes to the Code of Virginia regarding muzzleloading guns.

Proposed language of amendment:

4VAC15-50-71. Muzzleloading gun hunting.

A. It shall be lawful to hunt bears during the special muzzleloading season with muzzleloading guns from the Saturday prior to the second Monday in November through the Friday prior to the third Monday in November, both dates inclusive, except in the Cities of Chesapeake, Suffolk, and Virginia Beach.

B. It shall be unlawful to hunt bear with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as defined in § 29.1-516.1 of the Code of Virginia may be used.

C. ~~A muzzleloading gun~~, for the purpose of this section, ~~means a single shot weapon 45 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) where the propellant and projective are loaded from the muzzle of the weapon.~~ include:

1. single shot muzzleloading rifles .40 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) where the projectile is loaded from the muzzle;
2. muzzleloading shotguns (one or more barrels) not larger than 10 gauge where the projectiles are loaded from the muzzle;
3. muzzleloading pistols (one or more barrels) .45 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) per barrel where the propellant and projectile are loaded from the muzzle;
4. muzzleloading revolvers .45 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) per cylinder where the propellant and projectile are loaded from the forward end of the cylinder.

D. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season.

Rationale:

Defining legal muzzleloading guns. In the past, section C of the muzzleloading gun hunting regulation has been assumed to apply only to muzzleloading rifles. However, the Code of Virginia allows four different types of muzzleloading guns for bear hunting in Virginia. The proposed changes will clarify what types of muzzleloading guns are legal for bear hunting during the muzzleloading season(s) and describe any special restrictions.

Changing the minimum muzzleloading rifle caliber from 45 to 40 caliber. This is a technical change, not a substantive change. In fall 2017, the Department reduced the single projectile (or sabot) size for muzzleloading rifles to 35 caliber or greater. This change will accommodate a new 40-caliber muzzleloading rifle that has just come on the market (<https://cva.com/product-line/paramount-htr-rifle/>). There are no concerns about lethality of this new weapon.

Requiring only the projectile(s) to be loaded from the muzzle. If passed, 2021 House Bill 2298 (<https://lis.virginia.gov/cgi-bin/legp604.exe?212+sum+HB2298>) would change the legal definition of a muzzleloading rifle and muzzleloading shotgun to note that only the projectile (or projectiles) has to be loaded from the muzzle of the gun. Previously, both the propellant and projectile had to be loaded from the muzzle of the gun. This change will make a new Federal FireStick technology (<https://www.federalpremium.com/firestick.html>), where the propellant is loaded from the rear of the barrel, legal for muzzleloading rifles in Virginia.